

Message Text

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PAGE 01 JAKART 09882 240346Z
ACTION EA-12

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PASS TO EA, USDA/FAS, USDA/APHIS

E.O. 11652: N/A
TAGS: BEXP, ID
SUBJECT: TRADE COMPLAINT OF QUALITY BIRD COMPANY: DISEASED
COCKATOOS

REF: STATE 150396

1. B.R. SLOCUM OF QUALITY BIRD CO., MIAMI, FLORIDA CONTACTED
EMBASSY ON JULY 12 AND TALKED TO ASST AGATT CONCERNING A TRADE
COMPLAINT AGAINST LOCAL COMPANY, C.V. WIDA, WHICH EXPORTED
BIRDS BEARING NEWCASTLE DISEASE TO UNITED STATES. ASST.
AGATT PROVIDED LIST OF LAWYERS.

2. SLOCUM VISITED E/C SECTION ON JULY 13 AND SECTION ARRANGED
TO PROVIDE LOCAL EMPLOYEE TO SERVE AS TRANSLATOR AND TO MAKE
APPRPRIATE CONTACTS.

3. LOCAL EMPLOYEE ASSISTED SLOCUM ON JULY 13-15 (INCLUDING
ALL DAY SATURDAY) MAKING CONTACTS WITH PRINCIPLAS IN THE CASE
AND ARRANGED FOR A MEETING BETWEEN SLOCUM, REPRESENTATIVES OF
C.V. WIDA, AND THE DEPT OF TRADE.

4. SLOCUM VISITED WITH E/C SECTION AND AGATT SEVERAL TIMES
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DURING THE WEEK OF JULY 17-21, WHO ENCOURAGED SLOCUM TO
ARRANGE FOR PROPOER LEGAL REPRESENTATION AND TO PURSUE HIS
COMPLAINT VIGOROUSLY THROUGH THE MINISTRY OF TRADE.

5. EMBOFF MET WITH MR. ROBERT SUSANTO OF C.V. WIDA
ON MONDAY, JULY 17 AND TUESDAY, JULY 18 AT EMBASSY. ON BOTH OCCA-
SIONS EMBOFF ENCOURAGED SUSANTO AND HIS ASSOCIATES TO

SEEK AN AMICABLE SETTLEMENT AND STRONGLY SUGGESTED THAT C.V. WIDA REPLACE WITH HEALTHY BIRDS THE COMPLETE SHIPMENT OF COCKATOOS WHICH WAS DESTROYED. EMBOFF ALSO OFFERED THE EMBASSY'S OFFICES TO MEDIATE IN THE DISPUTE.

6. E/C SECTION, WITH THE ASISTANC OF SLOCUM'S LAWYER FROM THE FIRM OF ADNAN, BUYUNG AND NASUTION, ARRANGED FOR A MEETING WITH MR. MOCHTAR, DIRECTOR GENERAL OF EXPORTS, ON THURSDAY, JULY 20. EMBOFF, AGATT, SLOCUM AND HIS LAWYER ATTENDED. SLOCUM MADE A STRONG PRESENTATION AT THE HEARING WHICH MOCHTAR FAVORABLY RECEIVED.

7. AT THE BEHEST OF SLOCUM EMBOFF INFORMED SUSANTO'S FIRM OF MEETING WITH MOCHTAR, ENCOURAGING THEM TO ATTEND. AFTER THE MEETING EMBOFF CONTACTED SUSANTO AGAIN AT THE BEHEST OF SLOCUM IN ORDER TO INITIATE FURTHER NEGOTIATIONS BETWEEN THE TWO PARTIES.

8. C.V. WIDA APPEARS TO HAVE NOT BEEN WILLING TO CONTINUE NEGOTIATIONS IN THE CASE, AND SLOCUM RETURNED TO THE UNITED STATES ON FRIDAY, JULY 21, WITHOUT HAVING REACHED AN AGREEMENT WITH C.V. WIDA OR WAITING FOR THE RESULTS OF THE HEARING WITH THE DIR GEN OF EXPORTS.

9. WHILE IT CANNOT BE ESTABLISHED IN A COURT OF LAW, CIRCUMSTANCES INDICATE THAT C.V. WIDA MAY HAVE KNOWINGLY LIMITED OFFICIAL USE

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SHIPPED INFECTED COCKATOOS TO THE UNITED STATES. ACCORDING TO INFORMATION OBTAINED BY SLOCUM FROM A GOVERNMENT VETERINARIAN, DEAD BIRDS WERE BEING REMOVED FROM SHIPMENT AT THE TIME OF LOADING. EMBASSY UNABLE TO CONFIRM THIS INFORMATION.

10. EVIDENCE ALSO INDICATES THAT DR. TAGOR OF THE DEPT OF AGRICULTURE ANIMAL HEALTH SERVICE WHO SIGNED THE HEALTH CERTIFICATE HAD NOT IN FACT SEEN OR INSPECTED BIRDS PRIOR TO SIGNING CERTIFICATE.

11. AGATT RECOMMENDS THAT APHIS DISBAR C.V. WIDA FROM THE FURTHER EXPORT OF BIRDS TO THE UNITED STATES.

12. EMBASSY WILL FOLLOW UP WITH A CALL ON DIR GEN MOCHTAR NEXT WEEK TO DETERMINE WHAT ACTION THE DEPT OF TRADE IS TAKING IN THE CASE.
GARDNER

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